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Attorneys for Defendant
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MATTHEW CAMPBELL and MICHAEL
HURLEY, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

DAVID SHADPOUR, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

Case No. C 13-05996 PJH
Case No. C 14-00307 PJH

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER REGARDING PLAINTIFFS'
FILING OF CONSOLIDATED AMENDED
COMPLAINT AND RELATED CASE
DEADLINES**

The Honorable Phyllis J. Hamilton

1 WHEREAS, on December 30, 2013, Plaintiffs Matthew Campbell and Michael Hurley filed
2 their Complaint in Case No. C 13-05996 PJH (Campbell Dkt. No. 1) (“*Campbell*”);

3 WHEREAS, on January 21, 2014, Plaintiff David Shadpour filed his Complaint in Case No.
4 C 14-00307 PSG (now Case No. C 14-00307 PJH) (Shadpour Dkt. No. 1) (“*Shadpour*”);

5 WHEREAS, on February 3, 2014, this Court related the *Campbell* and *Shadpour* actions
6 (Campbell Dkt. No. 15; Shadpour Dkt. No. 8);

7 WHEREAS, Defendant Facebook, Inc.’s (“Facebook”) current deadline to respond to the
8 *Campbell* Complaint is March 14, 2014 (Campbell Dkt. No. 13);

9 WHEREAS, Facebook’s current deadline to respond to the *Shadpour* Complaint is March 28,
10 2014 (Shadpour Dkt. No. 7);

11 WHEREAS, the Plaintiffs in *Campbell* (Matthew Campbell and Michael Hurley) and the
12 Plaintiff in *Shadpour* (David Shadpour) are referred to herein collectively as “Plaintiffs”;

13 WHEREAS, Plaintiffs intend to jointly file a motion to consolidate *Campbell* and *Shadpour*
14 and to appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;

15 WHEREAS, Plaintiffs intend to file a Consolidated Amended Complaint, which will
16 supersede Plaintiffs’ existing Complaints in the *Campbell* and *Shadpour* actions, within 30 days of
17 this Court’s order on Plaintiffs’ motion to consolidate *Campbell* and *Shadpour* and to appoint interim
18 class counsel;

19 WHEREAS, this Court previously scheduled an Initial Case Management Conference for the
20 *Campbell* and *Shadpour* actions for April 3, 2014 at 2:00 p.m., with certain deadlines preceding the
21 Case Management Conference as set forth in Campbell Dkt. No. 4 and Shadpour Dkt. No. 11: Meet
22 and confer regarding initial disclosures, early settlement, ADR selection process, discovery plan, and
23 ADR filings (March 13, 2014 – three weeks before the CMC) and the filing of a case management
24 statement (March 27, 2014 – one week before the CMC);

25 WHEREAS, in order to streamline the management of this case and maximize efficiency, the
26 parties have conferred and agreed to stipulate to the deadlines for (1) Plaintiffs’ filing of their motion
27 to consolidate *Campbell* and *Shadpour* and to appoint interim class counsel, (2) Plaintiffs’ filing of
28 their Consolidated Amended Complaint, and (3) Facebook’s response to the Consolidated Amended

1 Complaint; and

2 WHEREAS, the parties also have conferred and agreed that the April 3, 2014 Case
3 Management Conference and the deadlines that precede it should be continued to a future date after
4 Plaintiffs have filed their Consolidated Amended Complaint.

5 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel, and
6 subject to the approval of this Court, that:

- 7 1. Plaintiffs shall jointly file a motion to consolidate *Campbell* and *Shadpour* and to
8 appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;
- 9 2. Plaintiffs shall file their Consolidated Amended Complaint within thirty (30) days of
10 this Court's order on Plaintiffs' motion to consolidate *Campbell* and *Shadpour* and to
11 appoint interim class counsel;
- 12 3. Facebook shall have forty-five (45) days from the date Plaintiffs file their
13 Consolidated Amended Complaint to answer or otherwise respond to the Complaint;
- 14 4. The March 14, 2014 deadline for Facebook to respond to the *Campbell* complaint and
15 the March 28, 2014 deadline for Facebook to respond to the *Shadpour* complaint are
16 vacated; and
- 17 5. The April 3, 2014 Initial Case Management Conference and the dates that precede it
18 (as set forth in *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11) are continued to future
19 dates. If Facebook files a motion to dismiss and/or strike Plaintiffs' Consolidated
20 Amended Complaint, the Case Management Conference shall be on the same date as
21 the hearing on Facebook's motion. Additionally, the pre-CMC deadlines set forth in
22 *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11 are continued as follows: The
23 existing March 13 deadlines are continued to 3 weeks before the date of the continued
24 Case Management Conference, and the existing March 27 deadlines are continued to 1
25 week before the date of the continued Case Management Conference.

26 Respectfully submitted,

27
28 DATED: March 6, 2014

GIBSON, DUNN & CRUTCHER LLP

By: _____/s/
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(Case No. C 13-05996 PJH)
(Case No. C 14-00307 PJH)

DATED: March 6, 2014

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By: _____/s/
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DATED: March 6, 2014

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(Case No. C 14-00307 PJH)

DATED: March 6, 2014

By: /s/
JOSHUA A. JESSEN

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STIPULATION AND [PROPOSED] ORDER REGARDING PLAINTIFFS' FILING OF CONSOLIDATED AMENDED COMPLAINT AND RELATED CASE DEADLINES, Case Nos. C 13-05996 PJH and 14-00307 PJH

[PROPOSED] ORDER

Having considered the parties' Stipulation, and good cause appearing, the Court hereby GRANTS the parties' Stipulation. It is HEREBY ORDERED that:

1. Plaintiffs shall jointly file a motion to consolidate *Campbell* and *Shadpour* and to appoint interim class counsel pursuant to Fed. R. Civ. P. 23(g) by March 21, 2014;
2. Plaintiffs shall file their Consolidated Amended Complaint within thirty (30) days of this Court's order on Plaintiffs' motion to consolidate *Campbell* and *Shadpour* and to appoint interim class counsel;
3. Facebook shall have forty-five (45) days from the date Plaintiffs file their Consolidated Amended Complaint to answer or otherwise respond to the Complaint;
4. The March 14, 2014 deadline for Facebook to respond to the *Campbell* complaint and the March 28, 2014 deadline for Facebook to respond to the *Shadpour* complaint are vacated; and
5. The April 3, 2014 Initial Case Management Conference and the dates that precede it (as set forth in *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11) are continued to future dates. If Facebook files a motion to dismiss and/or strike Plaintiffs' Consolidated Amended Complaint, the Case Management Conference shall be on the same date as the hearing on Facebook's motion. Additionally, the pre-CMC deadlines set forth in *Campbell* Dkt. No. 4 and *Shadpour* Dkt. No. 11 are continued as follows: The existing March 13 deadlines are continued to 3 weeks before the date of the continued Case Management Conference, and the existing March 27 deadlines are continued to 1 week before the date of the continued Case Management Conference.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

The Honorable Phyllis J. Hamilton
United States District Court Judge